

Appln. No. 10/828,791
Amendment dated June 28, 2005
Reply to Office Action mailed April 8, 2005

REMARKS

Applicant's attorney thanks Examiner Mohandesi for issuing the Office Action. Applicant's attorney is pleased to note that there are no prior art rejections in the Office Action. Further, applicant's attorney is pleased to note that the Office Action indicates that Claims 10-12 contain allowable subject matter.

The Examiner provisionally rejected independent Claim 9 under the doctrine of obviousness-type double patenting as being unpatentable over Claims 1-24 of U.S. Patent No. 6,691,868. In response thereto, a Terminal Disclaimer is filed concurrently herewith. With the entry of the Terminal Disclaimer, it is believed that the Examiner's double patenting rejection of Claim 9 is obviated. In such circumstances, it is respectfully submitted that independent Claim 9 is in condition for allowance, along with Claims 10-13, which depend, either directly or indirectly, from independent Claim 9.

In view of the foregoing amendments and remarks, applicant's attorney respectfully requests reexamination and allowance of Claims 9-12 and examination and allowance of new Claim 13. If such action cannot be taken, the Examiner is cordially invited to place a telephone call to applicant's attorney in order that any outstanding issue may be resolved without the issuance of a further Office Action.

Enclosed is a Terminal Disclaimer for which a \$130 fee is due. The Examiner is authorized to charge this \$130 fee to Deposit Account No. 501402. If there are any

Appln. No. 10/828,791
Amendment dated June 28, 2005
Reply to Office Action mailed April 8, 2005

additional fees due as a result of this Amendment, including extension and petition fees, the Examiner is authorized to charge them to Deposit Account No. 501402.

Respectfully Submitted,

McCARTER & ENGLISH, LLP



By: Sanjiv M. Chokshi, Esq.
Reg. No. 44,080

McCarter & English, LLP
Four Gateway Center
100 Mulberry St.
Newark, NJ 07102
(973) 622-4444
SMC/ggm

NWK2: 1320751.01